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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MARCIA MARSH, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

VACASA, LLC, an Oregon limited
liability company,

Defendant.

CASE NO: 2:17-cv-1328 MWE (JCx)

*Assigned for all purposes to
Hon. Michael W. Fitzgerald
Courtroom: 5A*

**PLAINTIFF'S NOTICE OF
DISMISSAL PURSUANT TO RULE
41(a)**

1 TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that Plaintiff hereby dismisses this action without
3 prejudice. This dismissal is made pursuant to Federal Rule of Civil Procedure 41, which
4 provides that “the plaintiff may dismiss an action without a court order by filing (i) a
5 notice of dismissal before the opposing party serves either an answer or a motion for
6 summary judgment.” Fed. R. Civ. Proc. 41(a)(1)(A)(i). Further, a dismissal is without
7 prejudice unless “the plaintiff previously dismissed any federal- or -state-court action
8 based on or including the same claims.” Fed. R. Civ. Proc. 41(a)(1)(B).

9 Here, Defendant has not served either an answer or a motion for summary
10 judgment. Plaintiff has not previously dismissed any federal- or -state-court action based
11 on or including the same claims. Therefore, Plaintiff may dismiss this action without
12 prejudice and without a court order.

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14 Dated: May 8, 2017

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16 By: /s/ Ali S. Carlsen

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Attorneys for Plaintiff Marcia Marsh
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